

WEDNESDAY, MARCH 15, 1989

TWENTIETH LEGISLATIVE DAY

The House met at 2:00 p.m. and was called to order by Mr. Speaker Murray.

The proceedings were opened with prayer by Grover Hastings, Northside Church of Christ, Nashville, Tennessee.

Representative Tim Garrett led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present 97

Representatives present were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 97.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under Rule No. 20:

The Speaker announced that Representative Whitson was excused because of personal business.

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MESSAGE FROM THE SENATE

March 14, 1989

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 21, 33, 96, 208, 211, 216, 280, 296, 490, 533, 787, 819, 868, 1196 and 1300; passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

***Senate Bill No. 0021 -- Fees --** Allows vehicle auction businesses to obtain special license plates in certain circumstances; sets a flat fee for special mail orders of both license plates and decals. Amends TCA, Title 55, Ch. 4.

***Senate Bill No. 0033 -- Motor Vehicles, Titling and Registration --** Authorizes senior citizens associations to obtain government license plates. Amends TCA 55-4-223.

Senate Bill No. 0096 -- Election Laws -- Modifies certain provisions relative to the location of polling places and notification requirements. Amends TCA, Title 2, Ch. 3, Pt. 1.

***Senate Bill No. 0208 -- County Government --** Includes local governments in The Equal Access to Justice Act of 1984. Amends TCA, Title 29, Ch. 37.

***Senate Bill No. 0211 -- Highway Signs --** Provides for signs on I-40 indicating location of Boy Scouts Boxwell Reservation.

***Senate Bill No. 0216 -- Real Estate Agents and Brokers --** Requires real estate agents to carry errors and omission coverage; requires real estate commission to provide group coverage. Amends TCA, Title 62, Ch. 13.

***Senate Bill No. 0280 -- Contractors --** Authorizes injunctive relief against certain unlawful contracting practices. Amends TCA 62-6-122.

***Senate Bill No. 0296 -- County Officers --** Restricts eligibility to hold office of sheriff. Amends TCA 8-18-101.

***Senate Bill No. 0490 -- County Officers --** Places deputy sheriffs under Governmental Tort Liability Act. Amends TCA, Title 8, Ch. 8.

***Senate Bill No. 0533 -- Judicial Procedure --** Revises internal TCA references. Amends TCA 29-20-104.

***Senate Bill No. 0787 -- Medicare and Medicaid --** Requires revision of method of calculating payments for in-patient hospital services under medicaid. Amends TCA, Title 71, Ch. 5.

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***Senate Bill No. 0819 -- Banks and Financial Institutions --**
Permits state banks to have number of board members within a range rather than specific number. Amends TCA 45-2-401.

***Senate Bill No. 0868 -- Sentencing --** Requires pre-sentence reports on all locally sentenced felons. Amends TCA 40-35-209.

***Senate Bill No. 1196 -- Securities --** Exempts certain transactions from registration requirements of Tennessee Securities Act. Amends TCA 48-2-103.

Senate Bill No. 1300 -- Drivers' Licenses -- Revises definition of operators of commercial motor vehicles and classes of licenses; revises requirements for renewing expired licenses. Amends TCA, Title 55, Ch. 50.

MESSAGE FROM THE SENATE
March 14, 1989

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 7, 63, 101, 108, 109, 110, 112, 113, 114, 115 and 134; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

***Senate Joint Resolution No. 0007 -- Highway Signs --** Names portion of Highway 11 the "Sam Davis Memorial Highway".

***Senate Joint Resolution No. 0063 -- General Assembly, Studies --** Continues special joint committee to study administration of states regulatory boards, commissions and entities.

***Senate Joint Resolution No. 0101 -- General Assembly, Studies --** Creates committee to study school cafeteria equipment needs.

Senate Joint Resolution No. 0108 -- Memorials, Public Service -- Honors Vanessa Dale Grimes Randle on her contributions to teaching profession and her community.

Senate Joint Resolution No. 0109 -- Memorials, Recognition and Thanks -- Honors Mildred Denby Green on service as Professor of Music at LeMoyne Owen College.

Senate Joint Resolution No. 0110 -- Memorials, Professional Achievement -- Honors Josephine W. Cartwright for her outstanding contributions in education.

Senate Joint Resolution No. 0112 -- Memorials, Recognition and Thanks -- Honors Carl Richard Nelson on his service as West Tennessee Reception Center Chaplain and as Chaplain for U.S. Army.

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Senate Joint Resolution No. 0113 -- Memorials, Professional Achievement -- Honors Dr. James W. Ford.

Senate Joint Resolution No. 0114 -- Memorials, Public Service -- Commends "Thanks to Scandinavia, Inc." for work in recognizing the Scandinavian people for their efforts to save Jewish lives during the Nazi Holocaust.

Senate Joint Resolution No. 0115 -- Memorials, Sports -- Congratulates Christian Brothers High School cheerleaders on capturing National Cheerleading championship.

Senate Joint Resolution No. 0134 -- Memorials, Condolence -- Honors the memory of Bill Hamby.

ENROLLED BILLS

March 14, 1989

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bill(s) No(s). 23 and 678; and House Joint Resolution(s) No(s). 134, 135, 136, 137 and 138; and find same correctly enrolled and ready for the signatures of the Speakers.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

SIGNED

March 14, 1989

The Speaker announced that he had signed the following: House Bill(s) No(s). 23 and 678; and House Joint Resolution(s) No(s). 134, 135, 136, 137 and 138.

REGULAR CALENDAR

House Bill No. 0718 -- Recreation -- Provides that departments of conservation and education assist schools in making facilities available for recreational purposes. Amends TCA 11-21-108, 11-24-110.

On motion, House Bill No. 718 was made to conform with Senate Bill No. 214.

On motion, **Senate Bill No. 214**, on same subject, was substituted for House Bill No. 718.

Rep. Bivens moved that Senate Bill No. 214 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	97
Noes	0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 97.

A motion to reconsider was tabled.

House Bill No. 0729 -- Contractors -- Exempts contractors licensed under Contractors Licensing Act from Home Improvement Licensing Act. Amends TCA 62-37-107.

Rep. Bivens moved that House Bill No. 729 be passed on third and final consideration.

Rep. Clark moved the previous question, which motion prevailed.

Thereupon, Rep. Bivens moved that House Bill No. 729 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	98
Noes	0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery,

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Webb, West, Wheeler, Williams, Winningham, Wix, Wolfe, Wood, Yelton,
Mr. Speaker Murray -- 98.

A motion to reconsider was tabled.

House Bill No. 0723 -- Contractors -- Authorizes injunctive relief against certain unlawful contracting practices. Amends TCA 62-6-122.

On motion, House Bill No. 723 was made to conform with Senate Bill No. 280.

On motion, **Senate Bill No. 280**, on same subject, was substituted for House Bill No. 723.

Rep. Bivens moved that Senate Bill No. 280 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	92
Noes.	4
Present and not voting.	1

Representatives voting aye were: Anderson, Bell, Bittle, Bivens, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 92.

Representatives voting no were: Armstrong, Crain, Dixon, Phillips -- 4.

Representatives present and not voting were: Bragg -- 1.

A motion to reconsider was tabled.

House Bill No. 0366 -- Budget Procedures -- Allows county legislative body to determine whether a county will come within the provisions of the County Budget Law of 1990. Amends TCA, Title 5, Ch. 22.

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Further consideration of House Bill No. 366, previously considered on March 8, 1989, at which time the House adopted Amendment No. 1 and reset the bill to March 15, 1989.

Rep. Buck moved that House Bill No. 366 be passed on third and final consideration.

Rep. Buck moved to amend as follows:

Amendment No. 2

Amend House Bill No. 366 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section _____. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

On motion, Amendment No. 2 was adopted.

Rep. Buck moved to amend as follows:

Amendment No. 3

Amend House Bill No. 366 by adding the following new sections, to be appropriately numbered, immediately before the effective date section of the bill as printed:

SECTION _____. Tennessee Code Annotated, Section 5-22-116(b)(2), is amended by adding the word "federal" after the word "subsequent".

SECTION _____. Tennessee Code Annotated, Section 5-22-116(b)(3), is amended by adding at the end thereof the following:

according to the 1980 federal census or any subsequent federal census.

On motion, Amendment No. 3 was adopted.

Rep. Stallings moved to amend as follows:

Amendment No. 4

Amend House Bill No. 366 by adding the following new

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section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section _____. Tennessee Code Annotated, Section 5-22-116(b)(1), is amended by deleting the figures "23,800" and "12,700" from the "not less than" column.

Tennessee Code Annotated, Section 5-22-116(b)(1), is further amended by deleting the figures "23,900" and "12,750" from the "nor more than" column.

On motion, Amendment No. 4 was adopted.

Rep. Rhinehart moved to amend as follows:

Amendment No. 5

Amend House Bill No. 366 by adding the following new section immediately preceding the last section and by renumbering the effective date section accordingly:

Section _____. The provisions of the "County Budget Law of 1990" shall be applicable in any county having a population of not less than four thousand seven hundred (4,700) nor more than four thousand seven hundred fifty (4,750), according to the 1980 federal census or any subsequent federal census.

On motion, Amendment No. 5 was adopted.

Rep. Callicott moved to amend as follows:

Amendment No. 6

Amend House Bill No. 366 by adding the following language immediately preceding the last section as a new section and by renumbering the effective date section accordingly:

Section _____. The provisions of the "County Budget Law of 1990" shall be applicable in any county having a population of not less than fifty-eight thousand seventy-five (58,075) nor more than fifty-eight thousand one hundred seventy-five (58,175), according to the 1980 federal census or any subsequent federal census.

On motion, Amendment No. 6 was adopted.

Rep. Pinion moved to amend as follows:

Amendment No. 7

Amend House Bill No. 366 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section _____. Tennessee Code Annotated, Section 5-22-116(b)(3), is amended by deleting the figures "32,760" and "7,450" from the "not less than" column.

Tennessee Code Annotated, Section 5-22-116(b)(3), is further amended by deleting the figures "32,800" and "7,500" from the "nor more than" column.

On motion, Amendment No. 7 was adopted.

Rep. Wolfe moved to amend as follows:

Amendment No. 8

Amend House Bill No. 366 by adding the following language as new sections to be designated appropriately:

SECTION _____. The provisions of the "County Budget Law of 1990" shall continue to be applicable in any counties having a population of not less than twenty-two thousand two hundred seventy-seven (22,277) nor more than twenty-two thousand three hundred fifty (22,350) or not less than twenty-two thousand five hundred (22,500) nor more than twenty-two thousand six hundred (22,600), all according to the 1980 federal census or any subsequent federal census, notwithstanding the provisions of this act to the contrary.

On motion, Amendment No. 8 was adopted.

Rep. Hobbs moved to amend as follows:

Amendment No. 9

Amend House Bill No. 366 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section _____. Tennessee Code Annotated, Section 5-22-116(b)(1), is amended by adding the following figures under the headings as indicated below:

not less than
"84,000"

nor more than
"84,100"

On motion, Amendment No. 9 was adopted.

Rep. Naifeh moved to amend as follows:

Amendment No. 10

Amend House Bill No. 366 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section _____. Tennessee Code Annotated, Section 5-22-116, is amended by deleting from subsection (b)(1) the figure "32,700" from the left column and the figure "32,750" from the right column.

On motion, Amendment No. 10 was adopted.

Rep. Head moved to amend as follows:

Amendment No. 11

Amend House Bill No. 366 by adding the following language as new sections to be designated as indicated, and by renumbering the effective date section accordingly:

SECTION 2. The provisions of the "County Budget Law of 1990" shall be applicable in any county having a population of not less than twenty-one thousand five hundred seventy-five (21,575) nor more than twenty-one thousand six hundred seventy-five (21,675), according to the 1980 federal census or any subsequent federal census.

SECTION 3. Those counties specifically included by population in the County Budget Law of 1990 either by the provisions of this act or by any other act shall remain included and the provisions of Section 1 of this act shall not apply to such counties.

On motion, Amendment No. 11 was adopted.

Rep. McDaniel moved to amend as follows:

Amendment No. 12

Amend House Bill No. 366 by adding the following language as new, appropriately designated sections immediately preceding the effective date section, and by renumbering the effective date section accordingly:

SECTION _____. The provisions of the "County Budget Law of 1990" shall be applicable in any county having a population of not less than thirteen thousand nine hundred (13,900) nor more than thirteen thousand nine hundred

forty-seven (13,947), according to the 1980 federal census or any subsequent federal census.

SECTION _____. Those counties specifically included by population in the County Budget Law of 1990 either by the provisions of this act or by any other act shall remain included and the provisions of Section 1 of this act shall not apply to such counties.

On motion, Amendment No. 12 was adopted.

Rep. Burnett moved to amend as follows:

Amendment No. 13

Amend House Bill No. 366 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section _____. Tennessee Code Annotated, Section 5-22-116(b)(1), is amended by adding the following figures under the headings as indicated below:

not less than
"14,800"

nor more than
"14,850"

On motion, Amendment No. 13 was adopted.

Rep. Davidson moved to amend as follows:

Amendment No. 14

Amend House Bill No. 366 by adding the following language as new sections to be designated as indicated, and by renumbering the effective date section accordingly:

SECTION 2. The provisions of the "County Budget Law of 1990" shall be applicable in any county having a population of not less than thirty-seven thousand (37,000) nor more than thirty-seven thousand one hundred (37,100), according to the 1980 federal census or any subsequent federal census.

SECTION 3. Those counties specifically included by population in the County Budget Law of 1990 either by the provisions of this act or by any other act shall remain included and the provisions of Section 1 of this act shall not apply to such counties.

On motion, Amendment No. 14 was adopted.

Rep. Cross moved to amend as follows:

Amendment No. 15

Amend House Bill No. 366 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section _____. Tennessee Code Annotated, Section 5-22-116(b), is amended by adding the following new subdivision:

() Neither the County Budget Law of 1990 nor the amendments to Sections 49-2-101(2) and 67-5-1512 by Chapter 795 of the Public Acts of 1988 shall apply to any county having a population of:

not less than
6,875
24,590
34,800

nor more than
6,975
24,600
34,900

according to the 1980 federal census or any subsequent federal census.

On motion, Amendment No. 15 was adopted.

Rep. Davis (Gibson) moved to amend as follows:

Amendment No. 16

AMEND House Bill No. 366 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section _____. Tennessee Code Annotated, Section 5-22-116(b)(2), is amended by deleting the following figures under the headings as indicated below:

not less than
"49,400"

nor more than
"49,500"

AND FURTHER AMEND by adding the following language as new, appropriately designated sections immediately preceding the effective date section, and by renumbering the effective date section accordingly:

SECTION _____. The provisions of the "County Budget Law of 1990" shall be applicable in any county having a population of not less than forty-nine thousand four hundred (49,400) nor more than forty-nine thousand five hundred (49,500), according to the 1980 federal census or any subsequent federal census.

SECTION _____. Those counties specifically included by population in the County Budget Law of 1990 either by the provisions of this act or by any other act shall remain included and the provisions of Section 1 of this act shall not apply to such counties.

On motion, Amendment No. 16 was adopted.

Rep. Curlee moved to amend as follows:

Amendment No. 17

Amend House Bill No. 366 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section _____. Tennessee Code Annotated, Section 5-22-116(b)(3), is amended by deleting the following figures under the headings as indicated below:

not less than
"38,350"

nor more than
"38,300"

On motion, Amendment No. 17 was adopted.

Rep. Ellis moved the previous question, which motion prevailed.

Thereupon, Rep. Buck moved that House Bill No. 366, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	90
Noes.	4
Present and not voting.	4

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Pinion, Pruitt, Purcell, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 90.

Representatives voting no were: Davidson, Moody, Rhinehart, Scruggs -- 4.

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Representatives present and not voting were: Chiles, Good, Jones, U. (Shelby), Phillips -- 4.

A motion to reconsider was tabled.

House Bill No. 0352 -- County Officers -- Increases certain fees of county clerks. Amends TCA 8-21-701, 55-4-221, 55-6-104, 62-6-112, 67-4-712, 717.

On motion, House Bill No. 352 was made to conform with Senate Bill No. 19.

On motion, **Senate Bill No. 19**, on same subject, was substituted for House Bill No. 352.

Rep. Miller moved that Senate Bill No. 19 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	63
Noes.	31
Present and not voting.	1

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Cain, Clark, Collier, Crain, Cross, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DePriest, Dixon, Duer, Ellis, Gaia, Givens, Gunnels, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kernell, King, Kisber, Love, Miller, Moore (Lawrence), Naifeh, Napier, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Turner (Hamilton), Turner, C. (Shelby), Ussery, Webb, Wheeler, Yelton -- 63.

Representatives voting no were: Burnett, Callicott, Chiles, Copeland, Curlee, DeBerry, Garrett, Halteman, Harrill, Hassell, Haun, Hawkins, Kent, McAfee, McDaniel, Moody, Moore (Shelby), Niceley, Nuber, Shirley, Sipes, Stallings, Stamps, Starnes, Turner, L. (Shelby), West, Williams, Winningham, Wolfe, Wood, Mr. Speaker Murray -- 31.

Representatives present and not voting were: Good -- 1.

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to **Rule No. 31**, I wish to express a desire to change my original stand from aye to no on Senate Bill No. 19 and have this statement entered in the Journal.

Rep. Gary Odom

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REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to Rule No. 31, I wish to express a desire to change my original stand from aye to no on Senate Bill No. 19 and have this statement entered in the Journal.

Rep. Mayo Wix

REGULAR CALENDAR, CONTINUED

House Bill No. 0615 -- Libraries -- Permits member of regional library board to serve more than two terms upon prior approval of state librarian and archivist. Amends TCA, Title 10, Chs. 1, 5.

Rep. Starnes moved that House Bill No. 615 be passed on third and final consideration.

Rep. Miller moved to amend as follows:

Amendment No. 1

Amend House Bill No. 615 by deleting the amendatory language of Section 2, and by substituting instead the following language:

Members shall be elected for no more than two (2) successive terms except upon prior approval of the State Librarian and Archivist.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Starnes moved that House Bill No. 615, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	93
Noes.	2

Representatives voting aye were: Anderson, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stallings, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L.

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(Shelby), Ussery, Webb, West, Wheeler, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 93.

Representatives voting no were: Sipes, Stamps -- 2.

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to Rule No. 31, I wish to express a desire to change my original stand from aye to no on Senate Bill No. 19 and have this statement entered in the Journal.

Rep. James M. Henry

REGULAR CALENDAR, CONTINUED

*House Bill No. 0657 -- Motor Vehicles -- Allows for suspension of driver's license under certain circumstances; extends period for return of funds received for violations. Amends TCA 55-7-206, 55-10-502, 55-50-604.

On motion, House Bill No. 657 was made to conform with Senate Bill No. 1191.

On motion, Senate Bill No. 1191, on same subject, was substituted for House Bill No. 657.

Rep. Robinson (Davidson) moved that Senate Bill No. 1191 be reset to the Calendar for Monday, March 20, 1989, which motion prevailed.

*House Bill No. 0644 -- Financial Institutions, Dept. of -- Authorizes commissioner to disclose certain financial information to certain agencies under certain circumstances. Amends TCA 45-2-1603.

On motion, House Bill No. 644 was made to conform with Senate Bill No. 1179.

On motion, Senate Bill No. 1179, on same subject, was substituted for House Bill No. 644.

Rep. Byrd moved that Senate Bill No. 1179 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	97
Noes.	0
Present and not voting.	1

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Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 97.

Representatives present and not voting were: Moody -- 1.

A motion to reconsider was tabled.

House Bill No. 0604 -- Public Service Commission -- Authorizes PSC officers to arrest certain persons for drug and DUI offenses. Amends TCA 65-15-106.

Rep. Starnes moved that House Bill No. 604 be passed on third and final consideration.

Rep. Robinson (Davidson) moved to amend as follows:

Amendment No. 1

Amend House Bill No. 604 by adding the following sentence at the end of the amendatory language of Section 1:

Provided however, that such enforcement officers may arrest an occupant of a regulated vehicle for public drunkenness in accordance with the provisions of Tennessee Code Annotated, Sections 39-6-925 through 39-6-928, but shall not arrest such occupant for driving under the influence of an intoxicant unless the officer has reasonable cause to believe that the occupant has been in physical control of the vehicle while intoxicated.

Rep. Moody moved that Amendment No. 1 be tabled, which motion prevailed.

Thereupon, Rep. Starnes moved that House Bill No. 604 be passed on third and final consideration, which motion prevailed by the following vote:

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Ayes. 94
Noes. 1

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Ussery, Webb, West, Wheeler, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 94.

Representatives voting no were: Turner, L. (Shelby) -- 1.

A motion to reconsider was tabled.

CONSENT CALENDAR

House Joint Resolution No. 0146 -- Memorials, Heroism -- Honors 90th Infantry Division Association on 71st reunion.

House Joint Resolution No. 0148 -- Memorials, Condolence -- Honors memory of LeRoy D. Clark of Memphis.

House Bill No. 1079 -- Maury County -- Establishes standards of construction and a permit system for county roads and rights-of-way.

House Bill No. 1448 -- Bedford County -- Increases salary of members of road board. Amends Chapter 30, Private Acts of 1975.

House Bill No. 1449 -- Putnam County -- Repeals county highway commission. Repeals Chapter 609, Private Acts of 1951, as amended.

Senate Joint Resolution No. 0104 -- Memorials, Personal Achievement -- Congratulates Kenneth Nelson Childres, II, on earning Eagle Scout award.

OBJECTION -- CONSENT CALENDAR

Objection was filed to the following on the Consent Calendar:

House Joint Resolution No. 146 was objected to by Rep. Cross.

Rep. Cross requested that House Joint Resolution No. 146 be held on the Clerk's desk.

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Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, and that all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes.	98
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 98.

A motion to reconsider was tabled.

HOUSE ACTION ON SENATE AMENDMENTS

House Bill No. 0016 - Gatlinburg - Establishes privilege tax on the purchase of food from restaurants.

Senate Amendment No. 1

Amend House Bill No. 16 by deleting from the third line of the amendatory language of Section 1 the words "tax of" and by substituting instead the words "tax not to exceed".

Rep. Huskey moved that the House concur in Senate Amendment(s) No(s). 1, which motion prevailed by the following vote:

Ayes.	93
Noes.	1

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis

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(Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Kent, Kernell, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, West, Wheeler, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 93.

Representatives voting no were: Webb -- 1.

A motion to reconsider was tabled.

UNFINISHED BUSINESS

BILLS WITHDRAWN

On motion of Rep. Cross, House Joint Resolution No. 146, having been removed from the Consent Calendar and held on the Clerk's desk, was withdrawn from the House.

SPONSORS ADDED

Without objection, the rules were suspended to allow the following members to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 196: Rep(s). Gunnels, U. A. Moore, Niceley, and Scruggs added as prime sponsor(s).

House Bill No. 256: Rep(s). Burns added as prime sponsor(s); Rep(s). West added as sponsor(s).

House Bill No. 368: Rep(s). Odom added as sponsor(s).

House Bill No. 459: Rep(s). Kent added as prime sponsor(s); Rep(s). Odom added as sponsor(s).

House Bill No. 638: Rep(s). Burnett, Cain, Dixon, Gaia, R. Jones, U. Jones, Love, Nuber and L. Turner added as prime sponsor(s).

House Bill No. 686: Rep(s). Stamps added as prime sponsor(s).

House Bill No. 687: Rep(s). Stamps added as prime sponsor(s).

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House Bill No. 688: Rep(s). Stamps added as prime sponsor(s).

House Bill No. 689: Rep(s). Stamps added as prime sponsor(s).

House Bill No. 690: Rep(s). Stamps added as prime sponsor(s).

House Bill No. 720: Rep(s). Peroulas added as prime sponsor(s).

House Bill No. 868: Rep(s). Hobbs added as sponsor(s).

House Bill No. 982: Rep(s). B. Turner added as prime sponsor(s).

House Bill No. 983: Rep(s). B. Turner added as prime sponsor(s).

House Bill No. 984: Rep(s). B. Turner added as prime sponsor(s).

House Bill No. 996: Rep(s). B. Turner added as prime sponsor(s).

House Bill No. 1135: Rep(s). Rhinehart added as prime sponsor(s).

House Bill No. 1305: Rep(s). McDaniel, U. A. Moore added as prime sponsor(s).

House Bill No. 1337: Rep(s). Bell, Burnett, DePriest, Duer, Nuber added as prime sponsor(s).

House Bill No. 1394: Rep(s). Halteman added as prime sponsor(s).

House Bill No. 1405: Rep(s). DeBerry, Dixon, Sipes, Stamps added as prime sponsor(s).

RULES SUSPENDED

Rep. R. Jones moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 161 out of order, which motion prevailed.

House Joint Resolution No. 0161 -- Memorials, Personal Achievement -- Honors Mabel Dean Purnell. by *Jones R, *Turner L, *King, *Dixon, *Jones U, *DeBerry.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. R. Jones, the resolution was adopted by the following vote:

Ayes. 96
Noes. 0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles,

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Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 96.

A motion to reconsider was tabled.

RULES SUSPENDED

Rep. Davis (Gibson) moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 163 out of order, which motion prevailed.

House Joint Resolution No. 0163 -- Naming and Designating -- Names the public health clinic at Trenton the "Charles Norris Hickman Public Health Center" by *Davis R E, *Herron, *Pinion, *Holt, *Stallings, *Crain, *Ridgeway, *Collier, *Naifeh, *Kisber.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Davis (Gibson), the resolution was adopted by the following vote:

Ayes. 97
Noes. 0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery,

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Webb, West, Wheeler, Williams, Winningham, Wix, Wolfe, Wood, Yelton,
Mr. Speaker Murray -- 97.

A motion to reconsider was tabled.

NOTICE TO ACT ON SENATE AMENDMENTS

Pursuant to Rule No. 59, the sponsor(s) gave notice of intent to consider the following measure(s) from the Senate on Thursday, March 16, 1989:

Senate Bill No. 260: Rep. Duer.

NOTICE TO ACT ON SENATE AMENDMENTS

Pursuant to Rule No. 59, the sponsor(s) gave notice of intent to consider the following measure(s) from the Senate on Monday, March 20, 1989:

House Bill No. 190: Rep. Huskey.

INTRODUCTION OF RESOLUTIONS

House Joint Resolution No. 0149 -- Memorials, Sports -- Honors Coach Jeff Jordan and the Franklin High School wrestling team on winning state championship. by *Callicott.

The Speaker referred House Joint Resolution No. 149 to the Calendar and Rules Committee.

House Joint Resolution No. 0150 -- Memorials, Sports -- Honors Coaches Paul Gossett and Mark White and the Clarksville national team on winning Southeast Regional Division championship. by *Head, *Ussery.

The Speaker referred House Joint Resolution No. 150 to the Calendar and Rules Committee.

House Joint Resolution No. 0151 -- Memorials, Condolence -- Honors memory of Zay Nave. by *Bell.

The Speaker referred House Joint Resolution No. 151 to the Calendar and Rules Committee.

House Joint Resolution No. 0152 -- Memorials, Condolence -- Honors memory of Joseph S. Slate, former Assistant Commissioner of Department of Labor. by *Ellis.

The Speaker referred House Joint Resolution No. 152 to the Calendar and Rules Committee.

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House Joint Resolution No. 0153 -- Memorials, Personal Occasion -- Congratulates Nathan Thaddeus "N.T." Richardson on his 103rd birthday. by *Stallings, *Naifeh, *Kisber, *Holt, *Crain, *Pinion, *Davis Ray, *Collier, *Ridgeway, *Herron, *Phillips.

The Speaker referred House Joint Resolution No. 154 to the Calendar and Rules Committee.

House Joint Resolution No. 0154 -- Memorials, Condolence -- Honors the memory of Julian Harriss. by *Bragg.

The Speaker referred House Joint Resolution No. 154 to the Calendar and Rules Committee.

RULES SUSPENDED

Rep. Coffey moved that the rules be suspended for the purpose of introducing Senate Joint Resolution No. 134 out of order, which motion prevailed.

Senate Joint Resolution No. 0134 -- Memorials, Condolence -- Honors the memory of Bill Hamby.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Coffey, the resolution was concurred in by the following vote:

Ayes.	96
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 96.

A motion to reconsider was tabled.

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SENATE JOINT RESOLUTIONS
(Congratulatory and Memorializing)

Senate Joint Resolution No. 0108 -- Memorials, Public Service -- Honors Vanessa Dale Grimes Randle on her contributions to teaching profession and her community.

The Speaker referred Senate Joint Resolution No. 108 to the Calendar and Rules Committee.

Senate Joint Resolution No. 0109 -- Memorials, Recognition and Thanks -- Honors Mildred Denby Green on service as Professor of Music at LeMoyne Owen College.

The Speaker referred Senate Joint Resolution No. 109 to the Calendar and Rules Committee.

Senate Joint Resolution No. 0110 -- Memorials, Professional Achievement -- Honors Josephine W. Cartwright for her outstanding contributions in education.

The Speaker referred Senate Joint Resolution No. 110 to the Calendar and Rules Committee.

Senate Joint Resolution No. 0112 -- Memorials, Recognition and Thanks -- Honors Carl Richard Nelson on his service as West Tennessee Reception Center Chaplain and as Chaplain for U.S. Army.

The Speaker referred Senate Joint Resolution No. 112 to the Calendar and Rules Committee.

Senate Joint Resolution No. 0113 -- Memorials, Professional Achievement -- Honors Dr. James W. Ford.

The Speaker referred Senate Joint Resolution No. 113 to the Calendar and Rules Committee.

Senate Joint Resolution No. 0114 -- Memorials, Public Service -- Commends "Thanks to Scandinavia, Inc." for work in recognizing the Scandinavian people for their efforts to save Jewish lives during the Nazi Holocaust.

The Speaker referred Senate Joint Resolution No. 114 to the Calendar and Rules Committee.

Senate Joint Resolution No. 0115 -- Memorials, Sports -- Congratulates Christian Brothers High School cheerleaders on capturing National Cheerleading championship.

The Speaker referred Senate Joint Resolution No. 115 to the Calendar and Rules Committee.

WEDNESDAY, MARCH 15, 1989 -- TWENTIETH LEGISLATIVE DAY

RESOLUTIONS LYING OVER

*Senate Joint Resolution No. 0007 -- Highway Signs -- Names portion of Highway 11 the "Sam Davis Memorial Highway".

The Speaker referred Senate Joint Resolution No. 7 to the Transportation Committee.

*Senate Joint Resolution No. 0063 -- General Assembly, Studies -- Continues special joint committee to study administration of states regulatory boards, commissions and entities.

The Speaker referred Senate Joint Resolution No. 63 to the Government Operations Committee.

*Senate Joint Resolution No. 0101 -- General Assembly, Studies -- Creates committee to study school cafeteria equipment needs.

The Speaker referred Senate Joint Resolution No. 101 to the Education Committee.

INTRODUCTION OF BILLS

House Bill No. 1452 -- Dickson County -- Creates "Greater Dickson Gas Authority". Amends Chapter 215, Private Acts of 1988. by *Jackson.

Passed first consideration.

SENATE BILLS ON FIRST CONSIDERATION

Senate Bill No. 0021 -- Fees -- Allows vehicle auction businesses to obtain special license plates in certain circumstances; sets a flat fee for special mail orders of both license plates and decals. Amends TCA, Title 55, Ch. 4.

Held on the Clerk's desk pending third consideration of companion House Bill No. 422.

Senate Bill No. 0033 -- Motor Vehicles, Titling and Registration -- Authorizes senior citizens associations to obtain government license plates. Amends TCA 55-4-223.

Held on the Clerk's desk pending third consideration of companion House Bill No. 246.

Senate Bill No. 0096 -- Election Laws -- Modifies certain provisions relative to the location of polling places and notification requirements. Amends TCA, Title 2, Ch. 3, Pt. 1.

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Held on the Clerk's desk pending third consideration of companion House Bill No. 9.

Senate Bill No. 0208 -- County Government -- Includes local governments in The Equal Access to Justice Act of 1984. Amends TCA, Title 29, Ch. 37.

Held on the Clerk's desk pending third consideration of companion House Bill No. 348.

Senate Bill No. 0211 -- Highway Signs -- Provides for signs on I-40 indicating location of Boy Scouts Boxwell Reservation.

Held on the Clerk's desk pending third consideration of companion House Bill No. 150.

Senate Bill No. 0216 -- Real Estate Agents and Brokers -- Requires real estate agents to carry errors and omission coverage; requires real estate commission to provide group coverage. Amends TCA, Title 62, Ch. 13.

Held on the Clerk's desk pending third consideration of companion House Bill No. 720.

Senate Bill No. 0296 -- County Officers -- Restricts eligibility to hold office of sheriff. Amends TCA 8-18-101.

Held on the Clerk's desk pending third consideration of companion House Bill No. 746.

Senate Bill No. 0490 -- County Officers -- Places deputy sheriffs under Governmental Tort Liability Act. Amends TCA, Title 8, Ch. 8.

Held on the Clerk's desk pending third consideration of companion House Bill No. 837.

Senate Bill No. 0533 -- Judicial Procedure -- Revises internal TCA references. Amends TCA 29-20-104.

Held on the Clerk's desk pending third consideration of companion House Bill No. 862.

Senate Bill No. 0787 -- Medicare and Medicaid -- Requires revision of method of calculating payments for in-patient hospital services under medicaid. Amends TCA, Title 71, Ch. 5.

Held on the Clerk's desk pending third consideration of companion House Bill No. 566.

Senate Bill No. 0819 -- Banks and Financial Institutions -- Permits state banks to have number of board members within a range rather than specific number. Amends TCA 45-2-401.

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Held on the Clerk's desk pending third consideration of companion House Bill No. 668.

Senate Bill No. 0868 -- Sentencing -- Requires pre-sentence reports on all locally sentenced felons. Amends TCA 40-35-209.

Held on the Clerk's desk pending third consideration of companion House Bill No. 806.

Senate Bill No. 1196 -- Securities -- Exempts certain transactions from registration requirements of Tennessee Securities Act. Amends TCA 48-2-103.

Held on the Clerk's desk pending third consideration of companion House Bill No. 923.

Senate Bill No. 1300 -- Drivers' Licenses -- Revises definition of operators of commercial motor vehicles and classes of licenses; revises requirements for renewing expired licenses. Amends TCA, Title 55, Ch. 50.

Held on the Clerk's desk pending third consideration of companion House Bill No. 1173.

REPORTS FROM STANDING COMMITTEES

AGRICULTURE

March 14, 1989

MR. SPEAKER: Your Agriculture Committee begs leave to report that we have carefully considered and recommend for passage: House Bill(s) No(s). 710.

STALLINGS, Chairman.

Under the rules, House Bill(s) No(s). 710; was/were transmitted to the Calendar and Rules Committee.

COMMERCE

March 14, 1989

MR. SPEAKER: Your Commerce Committee begs leave to report that we have carefully considered and recommend for passage: House Bill(s) No(s). 149 (as amended), 206 (as amended), 374 (as amended), 394 (as amended), 524, 581 (as amended), 638 (as amended), 668, 724 (as amended), 788 (as amended), 853, 915, 967, 1039 (as amended) and 1046.

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We further recommend that, pursuant to Rule No. 72, House Bill(s) No(s). 256 be referred to the Finance, Ways and Means Committee.

RHINEHART, Chairman.

Under the rules, House Bill(s) No(s). 149 (as amended), 206 (as amended), 374 (as amended), 394 (as amended), 524, 581 (as amended), 638 (as amended), 668, 724 (as amended), 788 (as amended), 853, 915, 967, 1039 (as amended) and 1046; was/were transmitted to the Calendar and Rules Committee.

Pursuant to Rule No. 72, the Speaker referred House Bill(s) No(s). 256 to the Finance, Ways and Means Committee.

EDUCATION

March 14, 1989

MR. SPEAKER: Your Education Committee begs leave to report that we have carefully considered and recommend for passage: House Bill(s) No(s). 287 (as amended), 525, 548 (as amended), 1192 (as amended), 1197 (as amended); for adoption: House Joint Resolution(s) No(s). 36 and 85.

DAVIDSON, Chairman.

Under the rules, House Bill(s) No(s). 287 (as amended), 525, 548 (as amended), 1192 (as amended), 1197 (as amended); and House Joint Resolution(s) No(s). 36 and 85; was/were transmitted to the Calendar and Rules Committee.

JUDICIARY

March 14, 1989

MR. SPEAKER: Your Judiciary Committee begs leave to report that we have carefully considered and recommend for passage: House Bill(s) No(s). 71, 290, 539 (as amended), 684, 691, 859, 939 (as amended) and 987.

We further recommend that, pursuant to Rule No. 72, House Bill(s) No(s). 340 and 625 be referred to the Committee on Finance, Ways and Means.

We further report that the following was/were considered but failed to pass: House Bill No. 580.

BUCK, Chairman.

Under the rules, House Bill(s) No(s). 71, 290, 539 (as amended), 684, 691, 859, 939 (as amended) and 987; was/were transmitted to the Calendar and Rules Committee.

WEDNESDAY, MARCH 15, 1989 -- TWENTIETH LEGISLATIVE DAY

Pursuant to Rule No. 72, the Speaker referred House Bill(s) No(s). 340 and 625 to the Finance, Ways and Means Committee.

STATE AND LOCAL GOVERNMENT
March 14, 1989

MR. SPEAKER: Your State and Local Government Committee begs leave to report that we have carefully considered and recommend for passage: House Bill(s) No(s). 161, 273, 295, 306, 393 (as amended), 522, 530, 667 (as amended), 753, 776, 782, 793, 869, 891 and 1207; and for adoption: House Joint Resolution(s) No(s). 21, 86 and 123.

MILLER, Chairman.

Under the rules, House Bill(s) No(s). 161, 273, 295, 306, 393 (as amended), 522, 530, 667 (as amended), 753, 776, 782, 793, 869, 891 and 1207; and House Joint Resolution(s) No(s). 21, 86 and 123; was/were transmitted to the Calendar and Rules Committee.

TRANSPORTATION
March 14, 1989

MR. SPEAKER: Your Transportation Committee begs leave to report that we have carefully considered and recommend for passage: House Bill(s) No(s). 528, 752 and 1314.

We further recommend that, pursuant to Rule No. 72, House Bill(s) No(s). 19 (as amended) and 754 (as amended) be referred to the Finance, Ways and Means Committee.

ROBINSON, Chairman.

Under the rules, House Bill(s) No(s). 528, 752 and 1314; was/were transmitted to the Calendar and Rules Committee.

Pursuant to Rule No. 72, the Speaker referred House Bill(s) No(s). 19 (as amended) and 754 (as amended) to the Finance, Ways and Means Committee.

CONSERVATION AND ENVIRONMENT
March 15, 1989

MR. SPEAKER: Your Conservation and Environment Committee begs leave to report that we have carefully considered and recommend for passage: House Bill(s) No(s). 21 (as amended) and 1042.

HILLIS, Chairman.

Under the rules, House Bill(s) No(s). 21 (as amended) and 1042; was/were transmitted to the Calendar and Rules Committee.

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GENERAL WELFARE
March 15, 1989

MR. SPEAKER: Your General Welfare Committee begs leave to report that we have carefully considered and recommend for passage: House Bill(s) No(s). 1422.

We further recommend that, pursuant to **Rule No. 72**, House Bill(s) No(s). 432 (as amended) and 459 be referred to the Finance, Ways and Means Committee.

STARNES, Chairman.

Under the rules, House Bill(s) No(s). 1422; was/were transmitted to the Calendar and Rules Committee.

Pursuant to **Rule No. 72**, the Speaker referred House Bill(s) No(s). 432 (as amended) and 459 to the Finance, Ways and Means Committee.

LABOR AND CONSUMER AFFAIRS
March 15, 1989

MR. SPEAKER: Your Labor and Consumer Affairs Committee begs leave to report that we have carefully considered and recommend for passage: House Bill(s) No(s). 742.

ELLIS, Chairman.

Under the rules, House Bill(s) No(s). 742; was/were transmitted to the Calendar and Rules Committee.

ENGROSSED BILLS
March 15, 1989

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill(s) No(s). 729; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

ENGROSSED BILLS
March 15, 1989

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill(s) No(s). 604, 1079, 1448 and 1449; and House Joint Resolution(s) No(s). 148, 161 and 163; and

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find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

ENGROSSED BILLS
March 15, 1989

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill(s) No(s). 366 and 615; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE
March 15, 1989

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 161 and 163; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE
March 15, 1989

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 22, 23, 58 and 678; also, House Joint Resolution(s) No(s). 128, 130, 134, 135, 136, 137, 138 and 139; signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE
March 15, 1989

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 80, 82, 92, 97, 149, 185, 207, 265, 719, 818 and 944; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

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MESSAGE FROM THE SENATE
March 15, 1989

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 60, 300, 633, 729, 934 and 1446; substituted for Senate Bill(s) on same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE
March 15, 1989

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 631; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE
March 15, 1989

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 303, 433, 530 and 1171; passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

*Senate Bill No. 0303 -- Board of Regents -- Changes the name and mission of Tri-Cities State Technical Institute. Amends TCA, Title 49, Ch. 8.

*Senate Bill No. 0433 -- Evidence -- Provides alternative procedure for presumption of reasonableness relative to certain medical expenses. Amends TCA 24-5-113.

*Senate Bill No. 0530 -- Tort Liability -- Authorizes waiver of landowner's liability in certain circumstances. Amends TCA, Title 70, Ch. 7.

Senate Bill No. 1171 -- Medicare and Medicaid -- Prohibits duplication of medicare benefits by supplemental insurance policies; requires providers of such policies to submit copy of advertisement to commissioner for review.

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MESSAGE FROM THE SENATE
March 15, 1989

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 142 and 144; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Senate Joint Resolution No. 0142 -- Memorials, Sports --
Recognizes Tennessee institutions of higher learning who have been invited to participate in NCAA basketball tournament.

Senate Joint Resolution No. 0144 -- Memorials -- Honors Memphis St. Patrick's Day Celebration.

REPORT OF COMMITTEE ON CALENDAR AND RULES
CONSENT CALENDAR
March 14, 1989

MR. SPEAKER: The officers of your Committee on Calendar and Rules beg leave to report that we have met and set the following bill(s) and/or resolution(s) on the Consent Calendar for Thursday, March 16, 1989: House Bill(s) No(s). 706, 834, 832, 674, 982, 212, 485 and 15.

PHILLIPS, Chairman.

REPORT OF COMMITTEE ON CALENDAR AND RULES
March 14, 1989

MR. SPEAKER: Your Committee on Calendar and Rules begs leave to report that we have met and set the following bill(s) on the Calendar for Thursday, March 16, 1989: House Bill(s) No(s). 984, 320, 636, 500, 705, 848, 842, 835, 252, 622, 1223, 635 and 983.

PHILLIPS, Chairman.

LOCAL BILLS TRANSMITTED TO CALENDAR AND RULES
March 15, 1989

In accordance with Rule No. 48, the following local bill(s), having received authorization for passage by the local legislative delegation, was/were transmitted to the Calendar and Rules Committee: House Bill(s) No(s). 1077 and 1078.

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**REPORT OF COMMITTEE ON CALENDAR AND RULES
CONSENT CALENDAR
March 15, 1989**

MR. SPEAKER: The officers of your Committee on Calendar and Rules beg leave to report that we have met and set the following bill(s) and/or resolution(s) on the Consent Calendar for Thursday, March 16, 1989: House Joint Resolution(s) No(s). 149, 150, 151, 152, 153 and 154; House Bill(s) No(s). 1077 and 1078; and Senate Joint Resolution(s) No(s). 108, 109, 110, 112, 113, 114 and 115.

PHILLIPS, Chairman.

**REPORT OF COMMITTEE ON CALENDAR AND RULES
CONSENT CALENDAR
March 15, 1989**

MR. SPEAKER: The officers of your Committee on Calendar and Rules beg leave to report that we have met and set the following bill(s) and/or resolution(s) on the Consent Calendar for Monday, March 20, 1989: House Bill(s) No(s). 701, 702, 1173, 281; and House Joint Resolution(s) No(s). 108, 24, 16 and 107.

PHILLIPS, Chairman.

**REPORT OF COMMITTEE ON CALENDAR AND RULES
March 15, 1989**

MR. SPEAKER: Your Committee on Calendar and Rules begs leave to report that we have met and set the following bill(s) on the Calendar for Monday, March 20, 1989: House Bill(s) No(s). 654, 700, 417, 357, 84 and 63.

PHILLIPS, Chairman.

ROLL CALL

The roll call was taken with the following results:

Present 98

Representatives present were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell,

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King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 98.

On motion of Rep. Naifeh, the House adjourned until 9:00 a.m., Thursday, March 16, 1989.